

**`Title 6 – Department of Higher Education  
Division 10 – Commissioner of Higher Education  
Chapter 2 – Student Financial Assistance Program**

**PROPOSED AMENDMENT**

**6 CSR 10-2.140 Institutional Eligibility for Student Participation.** The commissioner is amending sections (1) and (5).

*PURPOSE: This amendment updates gender-specific language, revises the policy for institutional verification of student eligibility, and clarifies the policy for award disbursement and delivery.*

(1) Definitions.

*[(G)] His, him, or he shall apply equally to the female as well as the male sex.]*

*[(H)](G)* Standard admission policies shall mean policies approved and published by the approved institution to admit students to the institution.

*[(I)](H)* State student assistance program shall be any financial aid program created by Missouri statute that charges the CBHE with program administration and that establishes institutional eligibility through criteria consistent with section 173.1102, RSMo, as determined by the CBHE.

(5) Institutional Responsibilities.

(A) Approved institutions shall:

1. Admit students based on the institution's standard admission policies;
2. Submit a copy of the institution's policy on satisfactory academic progress for the records of the CBHE;
3. Establish fair and equitable refund policies covering tuition, fees, and, where applicable, room and board charges. The refund policy shall be the same policy used by the institution for refunding all federal Title IV financial aid included in the Higher Education Act of 1965;
4. Systematically organize all student records (student financial aid, registrar, business office) pertaining to students who receive state student assistance program awards to be made readily available for review upon request by the CBHE. The retention period for these records shall be the same period used by the institution to comply with federal Title IV program requirements included in the Higher Education Act of 1965; and
5. Verify each state student assistance program award recipient's eligibility by transmitting the student's *[record]***payment request** to the department by the deadline published by the department. **The verification must occur not more than ten (10) business days before the institution transmits the student's payment request to the department.** Funds must be delivered not more than ten (10) business days after this verification or eligibility must be reconfirmed by the institution before delivery.

(C) When the approved institution receives the state student assistance program funds for the awards made by the CBHE, the approved institution must:

1. Deliver the state student assistance program funds to the award recipient in the amount determined by the CBHE using the institution's standard award delivery procedures*[, obtain the applicant's endorsement when necessary.].* **The applicant's award will be sent to the approved institution to be delivered to the student's account. The institution shall retain the**

portion of the state student assistance award that the applicant owes to that institution for expenses, and promptly give the applicant any remaining funds;

2. Return the applicant's award to the CBHE within thirty (30) days of learning he is no longer eligible to receive an award, if this is determined prior to the delivery of funds to the applicant;

3. Be responsible for the repayment of any funds sent to it by the CBHE within thirty (30) days of learning any of the following:

A. The institution delivered funds to an ineligible applicant if the award was based on erroneous, improper, or misleading information provided by the institution to the CBHE; or

B. The institution delivered the funds to a person other than the one to whom the CBHE has directed the funds be delivered; or

C. The award amount for an eligible student exceeded the maximum amount for which the student was eligible; and

4. Determine and calculate the amount of refunds to the CBHE based on the institution's refund formula for applicants who withdraw. The funds must be returned to the CBHE within thirty (30) days of the determination a withdrawal has occurred.

*AUTHORITY: sections 173.236, 173.254, 173.260, [and]173.262,[RSMo 2000, and sections] 173.234, 173.250, and 173.1103, RSMo Supp. [2008]2013.\* Emergency rule filed Aug. 28, 2007, effective Sept. 7, 2007, expired March 4, 2008. Original rule filed Oct. 12, 2007, effective March 30, 2008. Amended: Filed Dec. 15, 2008, effective June 30, 2009. Amended: Filed June 15, 2016.*

*\*Original authority: 173.234, RSMo 2008; 173.236, RSMo 1991; 173.254, RSMo 1998; 173.260, RSMo 1987, amended 1998; 173.262, RSMo 1988, amended 1992; 173.250, RSMo 1986, amended 1988, 1990, 1990, 1991, 2007; and 176.1103, RSMo 2007.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Kelli Reed, Missouri Department of Higher Education, P.O. Box 1469, Jefferson City, MO 65102-1469 or [kelli.reed@dhe.mo.gov](mailto:kelli.reed@dhe.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*